

1 THE HONORABLE RICARDO S. MARTINEZ  
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10 UNITED STATES DISTRICT COURT  
11 WESTERN DISTRICT OF WASHINGTON AT SEATTLE  
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14 IN THE MATTER OF THE COMPLAINT  
15 OF F/V MISS MADDISON, INC., AS  
16 OWNERS AND/OR OPERATORS OF THE  
17 VESSEL MELODY OFFICIAL NUMBER  
18 698044, FOR EXONERATION FROM  
19 AND/OR LIMITATION OF  
20 LIABILITY

IN ADMIRALTY

Case No. 2:22-cv-01756-RSM

**ORDER DIRECTING NOTICE  
AND PUBLICATION TO  
INTERESTED PARTIES, AND  
ENJOINING PROSECUTION OF  
CLAIMS**

21 WHEREAS, pursuant to the Limitation of Liability Act, 46 U.S.C. § 30501 *et seq.* and  
22 Rules F(1) and F(2) of the Supplemental Rules for Certain Admiralty and Maritime Claims of  
23 the Federal Rules of Civil Procedure, Limitation Plaintiff F/V Miss Maddison, Inc., by and  
24 through its attorneys, Holmes Weddle & Barcott, have instituted a proceeding in this Court for  
limitation of and/or exoneration from liability as owners and/or operators of the MELODY,  
official number 698044, (hereinafter the “Vessel”), with respect to an incident occurring on  
June 17, 2022, in which the Vessel sank; and

WHEREAS, Limitation Plaintiff states that the Vessel sank and was completely lost,  
and

WHEREAS, Limitation Plaintiff posted security for costs in the sum of \$500.00,  
with interest thereon at the rate of six percent (6%) per annum from the date of the posting

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1 of security;

2 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND  
3 DECREED:

4 1. Limitation Plaintiff asserts that the Vessel sank and was completely lost, and no  
5 freight was aboard.

6 2. Limitation Plaintiff has complied with Supplemental Admiralty Rule F(1) and  
7 Local Supplemental Admiralty Rule 120(b) by depositing security for costs in the amount of  
8 five hundred dollars (\$500), plus interest at the rate of six percent (6%) from the date of  
9 security. Limitation Plaintiff at this time does not need to deposit additional security for value  
10 with the Court. This ruling is WITHOUT PREJUDICE to the due appraisal of Limitation  
11 Plaintiff's interest in the Vessel and pending freight, and any claimant's demand that the  
deposit or security be increased in accordance with Supplemental Admiralty Rule F(7);

12 3. Under Supplemental Admiralty Rule F(3), the prosecution of any and all suits,  
13 actions or proceedings of any nature or description whatsoever against Limitation Plaintiff,  
14 their agents, servants or employees or against the Vessel, except in the present proceeding, in  
15 respect of any claim arising out of, occasioned by, consequent upon or otherwise connected  
16 with the aforesaid incident, or arising during the voyage upon which the Vessel was then  
17 engaged, are HEREBY STAYED AND RESTRAINED until such time as the Court determines  
whether to dissolve the injunction. Limitation Plaintiff is ORDERED to serve a copy of this  
Order on the persons and other legal entities to be restrained, or their attorneys;

18 4. In accordance with Supplemental Admiralty Rule F(4) and Local Supplemental  
19 Admiralty Rule 150, Limitation Plaintiff shall publish a copy of the following notice in the  
20 Seattle Daily Journal of Commerce for four consecutive weeks starting the week of January 23,  
21 2023, in substantially the form set forth below:

22 **Notice to Interested Parties:** F/V Miss Maddison, Inc., owner  
23 and/or operator of the MELODY, official number 698044  
(hereinafter "the Vessel"), an approximately 32 foot vessel of 20

24 **ORDER DIRECTING NOTICE AND  
PUBLICATION TO INTERESTED PARTIES, AND  
ENJOINING PROSECUTION OF CLAIMS - 2**

Case No. 2:22-cv-01756-RSM

**HOLMES WEDDLE & BARCOTT, PC**  
3101 WESTERN AVE, SUITE 500  
SEATTLE, WA 98121  
TELEPHONE (206) 292-8008  
FAX (206) 340-0289

1 gross tons, filed a Complaint pursuant to the Limitation of  
2 Liability Act, 46 U.S.C. § 30510 et seq., claiming the right to  
3 exoneration from and/or limitation of liability for all claims  
4 against it for injury, death, or other damage resulting from an  
5 incident occurring on June 17, 2022, in which the Vessel sank  
6 while being operated upon the navigable waters of Bristol Bay,  
7 Alaska near the Egegik River.

8 Any person or legal entity who has or may have such a claim  
9 must, on or before February 22, 2023, file it with the Clerk of  
10 Court, U.S. Federal District Court, Western District of  
11 Washington at Seattle, under the title "In re F/V Miss Maddison,  
12 Inc." and Cause No. 2:22-cv-01756. Any such claim must  
13 comply with the requirements of Rule F of the Supplemental  
14 Rules for Admiralty or Maritime Claims of the Federal Rules of  
15 Civil Procedure. A copy must also be served on or mailed to the  
16 plaintiffs' attorneys, Michael A. Barcott and Daniel P. Barcott,  
17 HOLMES WEDDLE & BARCOTT, 3101 Western Ave, Suite  
18 500, Seattle, WA 98121.

19 Any claimant who desires to contest F/V Miss Maddison, Inc.'s,  
20 right to exoneration from and/or limitation of liability shall file  
21 and serve an answer to the Complaint in the above-referenced  
22 matter on or before February 22, 2023, unless such answer is  
23 included in the claim. This notice is published pursuant to the  
24 order of said Court, Honorable Ricardo S. Martinez, dated  
January 19, 2023, and Rule F(4) of the Supplemental Rules for  
Admiralty or Maritime Claims.

5. Limitation Plaintiff shall, not later than the day of the second publication  
required in paragraph (4) above, mail copies of the Complaint and this Order to: (1) the last  
known address of those persons who are reported to have been injured as set forth in the  
Complaint, and to any attorneys known to represent them; and (2) to such other persons and  
other legal entities as are known to have any claim against the Limitation Plaintiff or the  
Vessel and to any attorney known to represent them.

DATED this 19<sup>th</sup> day of January, 2023.

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RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE

**ORDER DIRECTING NOTICE AND  
PUBLICATION TO INTERESTED PARTIES, AND  
ENJOINING PROSECUTION OF CLAIMS - 3**

Case No. 2:22-cv-01756-RSM

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